

**MINUTES OF THE
SELMA CITY COUNCIL
JULY 28, 2008
5:00 P.M.**

Call to Order

Invocation: Brother Thomas McLemore, Pastor
Houston Park Church of Christ

Moment of Silence

Pledge of Allegiance

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, July 28, 2008 at 5:00 p.m.

ROLL CALL

The following members were present during roll call: Council President George Evans and Council members Cecil Williamson, Reid Cain, Jean Martin, Geraldine Allen, Johnnie M. Leashore, Bennie R. Crenshaw and Jannie M. Venter. Others present were City Clerk Lois Williams, City Attorney Jimmy Nunn, City Treasurer Cynthia Mitchell and the Mayor's Executive Assistant Darlene Rudolph. President Evans stated that he is sure that Councilman Randolph would be arriving shortly. Councilman Randolph arrived at 5:08 p.m.

APPROVAL OF AGENDA

President Evans asked for the approval of the agenda items. A motion was made by Councilwoman Martin and seconded by Councilwoman Allen to approve the agenda items as written. **The motion was carried with a majority (show of hands) vote of the Council members present. There were seven affirmative votes and one nay vote. Councilman Leashore cast a nay vote.**

APPROVAL OF MINUTES

After approval of the agenda, President Evans stated that the Clerk asked that the minutes of the July 14, 2008 Regular meeting be continued until the next meeting. A motion was made by Councilman Leashore and seconded by Councilwoman Martin to continue the approval the minutes of July 14, 2008 until the next Council meeting. **The motion carried with a unanimous (show of hands) vote of the Council members present.**

CITIZENS' REQUESTS

Mr. Larry Heard and Mr. Willis Chappell
Re: Veterans' Resource Center

Mrs. Frances Coles
Re: Speed breakers (L. L. Anderson Street)

Mr. Jim Keyser
Re: Alabama Retired State Employee's Association

Mr. Ronald Peoples
Re: Filing a police report, and completion, cleaning and removal of abandon houses and debris near 2603 North Broad Street
A motion was made by Councilman Cain and seconded by Councilwoman Allen to allow Mr. Peoples an additional five minutes to speak on his requests. **The motion carried with a unanimous (show of hands) vote of the Council.**

Ms. Candy Nicholas
Re: Selma/Dallas Youth Ambassadors trip to Washington, D.C.
A motion was made by Councilwoman Martin and seconded by Councilman Leashore to ratify and affirm the approval of the funds that were appropriated for the trip for the Selma/Dallas Youth Ambassadors to Savannah, GA be transferred to Washington, D.C. in the amount of \$9,000.00 instead of \$7,000.00. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

MAYOR'S REPORT

A. Memorandum of Understanding Between the Selma Police Department and the Selma Public School System. Mayor Perkins stated that the Council has been given a copy of the memorandum of understanding in their packets, which was discussed on Thursday, between the Selma Police Department and the Selma Public School System, for school Resource Officers and Prevention Specialists to be assigned to Selma High School and Selma CHAT Academy. Mayor Perkins asked Chief Riley if he would come forward to address the Council on this item. Chief Riley addressed the Council stating that based on the proposal, the Selma Police Department would like to place an officers in the

MAYOR'S REPORT

school system as a School Resources Officer and the Council has been given two proposals; one of which outlines one officer and the other outlines two officers. Chief Riley stated that these officers would be a part of the school program, and would teach about drug awareness and how to deal with problems that may come up in high school, and they will also go to the middle schools and elementary schools. Chief Riley further stated that the proposal asks that the City of Selma pays for half of the funding and the school system would pay for the other half, which includes salary, training and equipment that would allow the Police Department to form a partnership of working together with the school system. During discussion, Councilman Williamson asked how this proposal "came about." Chief Riley stated this proposal "came about" through meeting with Dr. Dawson on occasions, and discussed the possibility of a school resource officer, which some school systems recognizes. Chief Riley further stated, after being questioned by Councilman Williamson about the perception, that the perception is to build a partnership with the students and the community, which is a part of community policing that places the officers in an environment of teaching instead of an environment of law enforcement, and children in the community would look at the police, not as their foe but as their friend. Following Chief Riley's presentation, a motion was made by Councilman Leashore and seconded by Councilman Randolph to approve the said proposal from the Selma Police Department pending the school Board's acceptance of the same. **A roll call vote was taken and the motion passed with a majority vote of the Council. There were eight affirmative votes and one nay vote. Councilman Williamson cast a nay vote.**

B. Resolution - #R216-07/08 - Repairs on Fire Engine #103. Mayor Perkins stated that this resolution was covered during the work session. Following a brief discussion, a motion was made by Councilman Leashore and seconded by Councilwoman Crenshaw to approve the said resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

C. Proposed Salary Increase - Selma Fire Department. Mayor Perkins stated that he would like to make known the Fire Departments request for the proposed salary increase for the senior staff in the Selma Fire Department. Following a brief discussion, a motion was made by Councilwoman Crenshaw and seconded by Councilwoman Martin to approve the proposal to be handled in the same manner as the Selma Police Department. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

D. Public Works Schedule Change. Mayor Perkins stated that the Public Works Department's presently picks up garbage and trash four days a week and this has been the routine pick-up schedule and on Friday's the Public Works Department personnel only works four hours. Mayor Perkins stated that Mr. Hicks has discussed some issues of trying to do some cost cutting and also provide the employees some cost savings. Mayor Perkins stated that because of the amount of hours they work Monday-Thursday, we are looking at doing a "pilot" program to review a "four-day" work week possibility for Pubic Works, 10 hour days four days a week, and give them the opportunity to not have to come to work on Friday's which is costing them the same amount to get here, but they are only earning four hours pay. Following discussion, Mayor Perkins stated that this is an operations issue, it does not require any budget changes or amendments, and there is no financial change; he is of the opinion that the Council would not have to take any action on this issue, but he wanted to make the Council aware that there will be full coverage and things would still be taking place as required. Mayor Perkins stated this is a test to see how it would work out over the next three months and will come back if this is something permanent for the next fiscal year; that a lot of communities are doing this now because of the high cost of gas.

E. Press Release - Selma Police Department. Mayor Perkins stated that the Police Department has done a Press Release announcing the arrest of Gregory Sykes, 31, of Selma in connection with a recent shooting event on July 26th at 12:35 a.m. in the 1400 Block of Church Street. Mayor Perkins stated he will start sharing this information with the Council during his report.

F. ES&S (Election Systems & Software) Presentation on July 23, 2008. Mayor Perkins stated that, in his opinion, all questions relative to the Election equipment systems, security and so forth, were asked and answered during the Special Called Meeting of the Council held on July 23rd and he wants to thank the Council for honoring his request for the Special Called Meeting providing the representatives from ES&S, Mr. Mark Kelley, to make a presentation to the Council and the citizens who were present regarding the security protocol for their system and the strategies that they have to protect the integrity of the process. Mayor Perkins stated that he wants to acknowledge that whatever recommendation may come from the Council and the citizens that would provide any additional assurance that everything is alright, "I welcome it" and he is looking forward to moving on, but he feels it is important that the public who heard the meeting, the last official Council meeting and this meeting, who also heard representation that for a fact it was possible to alter voting records with a cell phone or laptop computer...those representations that were made in the context of known facts... are simply not true in the context of the equipment that is being used. Mayor Perkins further stated that there is no way, again, for the equipment to be "hacked" or accessed using a cell phone or laptop computer or any other remote electronic technology at the site, away from the site, and hopefully all of that is gone away now

MAYOR'S REPORT

and we can focus on the election process and move forward and he has every confidence in Ms. Williams that she will be able to do that.

G. **Resolution #R218-07/08 - CDBG Project - Construction Contract Award - Demolition on Water Avenue.** Mayor Perkins stated that this resolution is for the procurement requirements for the low responsible bid in the amount of \$341,000.00. Ms. Griffith read the said resolution in its entirety. Following a brief discussion, a motion was made by Councilwoman Martin and seconded by Councilwoman Venter to approve the said resolution. A roll call vote was taken and the motion passed with a unanimous (show of hands) vote of the Council.

H. **Resolution #R219-07/08 - Overrun of Re-Roofing Project - Selma Interpretive Center.** Ms. Griffith read the said resolution in its entirety. A motion was made by Councilwoman Martin and seconded by Councilwoman Venter to approve the said resolution in the new total project cost estimated at \$367,831.00. A roll call vote was taken and the motion passed with a majority vote of the Council. There were eight affirmative votes and one abstention. Councilman Cain abstained from voting.

I. **Personnel Manual.** President Evans asked Mayor Perkins the status of this item with Ms. Jones. Mayor Perkins stated if the Council is ready for discussion on this item it should be done in a work session and he will make provisions for it to happen in the next meeting. President Evans concurred.

J. **Missing Money from the Police Department.** Councilman Williamson asked the status of this time. Mayor Perkins referred to Chief Riley, who stated that there is no further information on this item at this time.

K. **Election Cost.** President Evans asked Mayor Perkins regarding the estimated cost of the Municipal Election. Mayor Perkins referred to City Clerk Lois Williams, who stated that she would like to report to the Council that the City has already spent close to \$50,000.00 on the Bond Election and usually \$70,000.00 is budget, but there is only a little over \$19,000.00 left in the Election budget. Ms. Williams stated that the last Municipal Election cost almost \$60,000.00. Mayor Perkins stated that he along with the Council asks that a budget be prepared for this election by the next work session. President Evans asked further questions regarding the process for Absentee voting: Ms. Williams further stated that there are uniformed officers assigned to City Hall each day from 8:30-4:30 and that particular uniformed officer will also escort a City Personnel to the post office to pick up mail.

L. **Storage and Delivery of the Voting Machines.** President Evans addressed Mayor Perkins stating that a decision about the voting machines needs to be made as per discussion in the work session on Thursday, which is a business item but could be addressed during this report to be discussed along with the Clerk. Mayor Perkins asked if President Evans was asking for a recommendation. President Evans concurred. Mayor Perkins stated that his recommendation is to allow Ms. Williams to manage this election, identify the appropriate site for storage of the equipment, and that she, along with the professionals that own the equipment provide for us the best strategy for dealing with this and then we move on with the election. Councilwoman Crenshaw asked if Mr. Kelley and his team would be handling the equipment. President Evans concurred. Councilwoman Crenshaw further stated that she does not feel it will be a problem and it would not matter to her if they stayed with Mr. Kelley at the Hampton Inn and if Ms. Williams doesn't mind that means less work for her, as long as we acknowledge that Ms. Williams is our Election Manager and we should not get bogged down on where the machines will go. President Evans stated he liked that idea too. Councilwoman Crenshaw stated that really and truly this may be the first time that they get a really good understanding of what an election really means to us, the various of it all, and the amount of work that is put into it and the amount complaints about what may not be fair and what is fair, and this may be the most fair election we have ever had. Councilman Leashore stated that he very rarely disagrees with his colleague, but he feels that the machines should be placed in the basement under police security. Mayor Perkins stated that he strongly disagrees with President Evans and Councilwoman Crenshaw and the reason is because the only people who have the knowledge of how to change the boxes are the ones you want to leave the boxes with. When they set those boxes to zero then lock that technology, so the check and balance would be to allow the citizens to proceed with the election. Mayor Perkins also stated that when the boxes get to the polling place there will be another group of citizens who will be validating what is going on, but to leave the machines with the only people would be akin to having one person in city government write the checks, issue the checks, reconcile the bank statements, and deposit the all money; it would be taking away from the integrity of the process, so I would strongly oppose it, again the longer we have this conversation the more cynical I become about this, because I'm really trying to figure out what is the motivation? Mayor Perkins questioned why was there such strong interest and determination to move these machines away from a secured environment where Selma Police Officers will be monitoring the site? You want to put it out there where you got some people from somewhere else, the only people who actually know how to deal with the technology to do it. Then you are going to remind me that there are seventeen boxes that

MAYOR'S REPORT

are missing but you didn't say to the citizens that those seventeen boxes that are missing from an election that was managed by the prior administration. Mayor Perkins further stated that he thought there was something else going on a little more cynical and he was asking now because he thinks this is going in the wrong direction, and we need to reel this in and be careful about this thing. President Evans stated that the fact is that the 17 or 34 data packs that are missing were sent back to them during this administration, there was an election in 2000, a runoff and after the runoff, at some point 34 boxes never got back, the former administration wasn't here then. President Evans stated that this administration paid \$6,000.00 for the missing box, and that was during the time after the runoff. Councilwoman Crenshaw stated to Mayor Perkins that, "you are a candidate" and don't need to keep debating this issue, because you are the Mayor, and it gets to be personal and there are people here who just don't trust the process, so all she is asking is to just take a vote on whether they should not stay here, and just move forward, because right now you are not going to convince some of these people up here that you are telling the truth. Mayor Perkins stated that that is fine, but he feels that what is being proposed is breaking down the integrity of the process and he is very concerned about and its motivation. President Evans stated that he is very concerned too, and that's why he has taken the position that he has and if he were to go into details about some more it would bring out some information about more things and he does not want to go there tonight and anyone who wants to take issue upon that is fine, but he does have a rationale and reason for what he thinks and "you don't want me to go there." Mayor Perkins stated "please, go there, don't through out the innuendo and then leave it out there, "just say what you're going to say." Councilman Leashore stated that the Council needs to realize that every one of them, with the exception of Councilman Cain, are all running for some type of office, so there is no suspension on everybody's part that everyone will be doing something illegal, so, the truth of the matter is that he is in agreement with the Mayor that the most secure thing to do is store the machines in the basement, and he does not want to see the machines sent out to the Hampton Inn. A motion was made by Councilman Leashore and seconded by Councilwoman Crenshaw that the machines are housed at city hall with police officers stationed at the building and for anybody who wants additional security can be on the outside; this is the most secured place for the machines. During discussion, Councilman Cain stated that first there was no problem with the machines being stored at another location by a third party, ES&S, later during another issue the Council voted to set the machines up and the audit process of "cheaters" in the testing integrity of the machines used to vote, now, what we are hearing that there is a strong intent and determination coming specifically from the Mayor and his Council members that the machines should be stored at city hall, but it seemed questionable when the third party was suggested, that's ES&S, so his question is why is the Mayor and these Council members so interested in having the machines placed at city hall at not at the courthouse where they have been placed in past elections, so why not consider what has been mentioned before to have a third party, ES&S, who is definitely going to make sure that this election will be handled properly because their reputation is dependent upon this part of the process of the election, the company's name, and it will allow them to hopefully monitor other elections in the future. Councilman Cain further stated that he feels that in implementing this process, there needs to be a place for the machines to be secured, by this company, with additional police officers. The machines would be secured at city hall, taken to another secure place and then deliver the machines the day of the election without having someone else possibly involved in the process. Councilman Randolph stated he does not know what the problem is about storing the machines here, he feels this is being taken too personally, and the machines should be stored here and if there is any doubt about anybody, lock them up in the basement, lock the elevator, put tape sealing on the door, that's all and if the seal is broken you'll know that someone has been in the basement. Councilman Randolph stated he feels this is the simplest thing to do oppose to taking them to the Hampton Inn, and he agrees with the Mayor, that this would be putting them in someone else's hands; and in order to get this done, we just have to trust each other, and he hopes this can be solved, because to everyone who is running for a position, "whatever is for you, it is going to happen," "so set yourself free and don't worry about the machines." Councilwoman Venter asked who the machines belongs to. President Evans stated that they belong to ES&S. Councilwoman Venter stated that if the city is responsible for the machines, then she agrees with Councilman Randolph to have the machines stored in the basement, lock the elevator and put tape across it. Councilwoman Martin stated that she has thought about this a lot and on Monday the machines will be tested, and she has to say that after they are tested, put them in the basement, then lock the basement and have a uniform policeman on duty so there will be absolutely no question, and they would be present until 4 or 5 in the morning when Mr. Kelley and his men come to move them to the polling place, and lets just do this and get it over with; stating she, for one, have no worries that it will be done correctly. Councilwoman Allen stated that she has really struggled over this matter as well, but she feels that if anyone was at the work session, the individuals who are going to do this, have definitely said, and what has made her feel very comfortable, that these machines are going to checked, they have to have "zero" on them, and it does not matter where we place them, then that machine will not be used and that is really her concern that they be checked to make sure that there is a "zero" and that check and balance is going to be done even when they get to the polling place, and if this is done, to her this is a test by test result, and she feels kind of like Mr. Randolph now, "if you're going to win, you will win, if you don't you just don't." President Evans asked, Ms. Williams, what time the machines will get to the polling sites. Ms. Williams stated that before she answers that question, she would like to clear up something, that she has not talked to Mr. Kelley

MAYOR'S REPORT

since he left on Wednesday, that he has emailed her twice, and she responded to both emails, but they have not conversed on the telephone about anything, in his emails he did not mention anything about storing the machines anywhere other than at city hall; that he did mention that if he were to be responsible for storing them, he would send the City an invoice. Ms. Williams stated that in his email he stated that he anticipated a 4 am start time for the delivery process on Tuesday morning. President Evans stated if the machines are there at 4:30 in the morning what will be the type of security in place at that time. Mayor Perkins stated that in the past, the polling officials use to go get to the site at about the same time as the machines, but this particular situation would be different, and what he has done in the past when he had these concerns, he found out what time the machines would be picked up at the courthouse, and he had his volunteers for 16 machines move when the machines moved, watch the setup, watch them breakdown and watched all the way back and if that is what you all want to do, you still have the right to do so. President Evans stated that this would be a possible system to use regardless of where they are, to have someone be here and be there, at 4:30 in the morning and watch them until 6:00 in the morning. Councilwoman Allen asked Attorney Nunn if we have received an opinion from the Attorney General's Office. Attorney Nunn stated that we have not. Councilman Williamson stated to President Evans "as you know, because you have seen this same movie," it is not about the breaking of the seals. Mayor Perkins stated that is an interesting statement and he appreciates it. **A roll call vote was taken and the motion passed with a majority vote of the Council. There were seven affirmative votes and two nay votes. Councilman Williamson and Councilman Cain both cast a nay vote.**

M. **Ms. Charlotte Griffeth - Certified Alabama Planning & Zoning Official.** Mayor Perkins asked Ms. Charlotte Griffeth to come forward, presenting her with award as Certified Alabama Planning & Zoning Official by the Alabama Planning Institute of the University of North Alabama, for the period of July 24, 2008 through July 24, 2010 for successfully completing 30 hours of education and training focusing on the skills essential to an effective planning and zoning official. President Evans stated he has an award as well and asked if Mayor Perkins if he would also make his presentation. Mayor Perkins stated this award is from the Alabama League of Municipalities; Certified Municipal Official, to George Evans, Council Member, for completing 40 credit hours of volunteer formal classroom training in the operations of municipal government, awarded by the Executive Committee of the Alabama League of Municipalities, 2008.

CITY ATTORNEY'S REPORT

A. **Resolution #R222-07/08 - Surplus Property.** Attorney Nunn stated as per said resolution that certain items owned by the City of Selma have been classified as personal property that is no longer needed for city municipal purposes, and per section 11-43-56 of the Code of Alabama, authorizes the municipal government to dispose of unneeded personal property. Attorney Nunn stated that there is a listing of several items, most of which are Public Works items at the AL-Lock facility, which is owned by the City; Mr. Henry is here to answer any questions as it relates to this resolution, and ask that the City Clerk be authorized to dispose of said property to the highest bidder. A motion was made by Councilwoman Martin and seconded by Councilwoman Crenshaw to approve the said resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council. Council would like to be notified of the sale of the property.**

B. **Memorandum of Understanding - City and County Agreement.** Attorney Nunn stated that a memorandum was presented to the Council at the last Council meeting between Dallas County, Alabama and the City of Selma, Alabama as it relates to the development of the Riverfront Park. Following a brief discussion by Ms. Griffeth, Attorney Nunn stated that this item has already voted on by the Council and a copy has been forwarded to Judge Ballard to be presented to the County Commission and no response has been given at this time.

C. **Alcoholic Beverage Application - CVS Pharmacy.** Attorney Nunn stated that this alcoholic beverage application has been placed on first reading at the last Council meeting, located at 1300 Highland Avenue, Retail Beer-Off Premises Only transfer. A motion was made by Councilman Cain and seconded by Councilwoman Martin to approve the said application. **A roll call vote was taken and the motion passed with a majority vote of the Council. There were seven affirmative votes and two abstentions. Councilman Williamson and Councilwoman Venter each cast a nay vote.**

D. **Alcoholic Beverage Applications - BAMA Budweiser of Selma, ASPA, Inc. & 635, Inc.** Attorney Nunn stated that the Council has been given copies of the alcoholic beverage applications to be placed on first reading for BAMA Budweiser of Selma, ASPA, Inc, located at 3000 Citizens Parkway, Retail Beer Only Off-Premises; and 635, Inc. located at 907 Broad Street, Retail Beer Only Off-Premises. A motion was made by Councilman Cain and seconded by Councilman Randolph to place all three items on first reading until the next Council meeting. **The motion carried with a unanimous (show of hands) vote of the Council.**

CITY ATTORNEY'S REPORT

E. **Resolution - #R211-07/08 - Bid on Landfill Compactor.** Attorney Nunn read as per said resolution in its entirety that ASC was the lowest responsible bidder in the amount of \$474,112.00. A motion was made by Councilman Leashore and seconded by Councilwoman Martin to approve the said resolution. Councilman Williamson asked if there is a companion resolution showing that this is going to be actually leased rather than paying for, costing well over \$500,000.00. Attorney Nunn concurred. Attorney Nunn stated that the companion resolution is **Resolution - #R217-07/08** along with a statement from Regions Bank concerning the lease agreement. Following a brief discussion by Ms. Williams and Ms. Mitchell regarding the online process and the selection of the banking institute, a roll call vote was taken and the motion passed with a unanimous vote of the Council.

F. **Resolution - #R211-07/08 - Bid on Landfill Compactor.** Attorney Nunn read as per said resolution in its entirety that ASC was the lowest responsible bidder in the amount of \$474,112.00. A motion was made by Councilman Leashore and seconded by Councilwoman Martin to approve the said resolution. Councilman Williamson asked if there is a companion resolution showing that this is going to be actually leased rather than paying for, costing well over \$500,000.00. Attorney Nunn concurred. Attorney Nunn stated that the companion resolution is **Resolution - #R217-07/08** along with a statement from Regions Bank concerning the lease agreement. Following a brief discussion by Ms. Williams, City Clerk, and Ms. Mitchell, City Treasurer, regarding the online process and the selection of the banking institute, a roll call vote was taken and the motion passed with a unanimous vote of the Council. A motion was made by Councilwoman Crenshaw and seconded by Councilwoman Martin to approve resolution #R217-07/08; the lease agreement with Regions Bank with monthly payments of \$8,567.72 for a term of 60 months. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

G. **Resolution - #R213-07/08 - Selma Police Department Software Upgrade.** Attorney Nunn stated that if the Council recalls, this was presented to the Council at the last Council meeting by Chief Riley, however, it was not on the agenda and passed over to this meeting. A motion was made by Councilman Randolph and seconded by Councilwoman Martin to approve the said resolution. Following discussion from Mr. Williams, IT Director, and Chief Riley, a roll call vote was taken and the motion passed with a majority vote of the Council. There were eight affirmative votes and one nay vote. Councilman Williamson cast a nay vote.

H. **Ordinance - #O113-07/08 - Eligibility for Promotional Exams For Public Safety Employees.** Attorney Nunn stated that he would like to ask Ms. Jones to come forward to address the Council on this matter. Ms. Jones addressed the Council stating that just a point of clarification, in the budget the Council approved promotional examinations for police sergeants exams, and for lieutenants and captains exams and now we are in a position to administer those exams, if the Council recalls in the revised personnel manual, changes were made, but so far the Council has not approved the revised manual and we do not want this to delay the promotional exams for sergeants, lieutenants and captains, hence, they were pulled out and Chief Riley and Chief Allen have minor changes, which basically changes rule 4.9b to increase the number of candidates from three to five. Following discussion, a motion was made by Councilman Leashore to suspend the rules to adopt the said ordinance. A roll call vote was taken and the motion passed with a majority vote of the Council. Councilwoman Allen was absent from the Chambers when this vote was taken. A motion was then made by Councilman Leashore and seconded by Councilwoman Crenshaw to approve ordinance #O113-07/08. A roll call vote was taken and the motion passed with a majority vote of the Council. Councilwoman Allen was absent from the Chambers when this vote was taken.

I. **Ordinance - #O113-07/08 - Eligibility for Promotional Exams For Public Safety Employees.** Attorney Nunn stated that he would like to ask Ms. Jones to come forward to address the Council on this matter. Ms. Jones addressed the Council stating that just a point of clarification, in the budget the Council approved promotional examinations for police sergeants exams, and for lieutenants and captains exams and now we are in a position to administer those exams, if the Council recalls in the revised personnel manual, changes were made, but so far the Council has not approved the revised manual and we do not want this to delay the promotional exams for sergeants, lieutenants and captains, hence, they were pulled out and Chief Riley and Chief Allen have minor changes, which basically changes rule 4.9b to increase the number of candidates from three to five. Following discussion, a motion was made by Councilman Leashore and seconded by Councilwoman Venter to suspend the rules to adopt the said ordinance. A roll call vote was taken and the motion passed with a majority vote of the Council. Councilwoman Allen was absent from the Chambers when this vote was taken. A motion was then made by Councilman Leashore and seconded by Councilwoman Crenshaw to approve ordinance #O113-07/08. A roll call vote was taken and the motion passed with a majority vote of the Council. Councilwoman Allen was absent from the Chambers when this vote was taken.

J. **Memorandum of Understanding - Decisions, Inc.** Attorney Nunn stated that the next item is a memorandum of agreement between the City of Selma and Decision, Inc.; a contract to administer the police sergeants exam and exercises. A motion was made by Councilman Leashore and seconded by Councilman Randolph to approve the memorandum of understanding. A roll call vote was

CITY ATTORNEY'S REPORT

taken and the motion passed with a majority vote of the Council. There were six affirmative votes, one nay vote and two members absent from the Chambers at the time of the vote. Councilman Williamson cast a nay vote. Councilwoman Allen and Councilwoman Martin were both absent from the Chambers when this vote was taken.

K. **2008 Sales Tax Holiday.** Attorney Nunn stated that the Council has been given a copy of the document as it relates to the Alabama Department of Revenue 2008 Sales Tax Holiday. Attorney Nunn stated that this begins this weekend, August 1st at 12:01 a.m. and ends Sunday, August 3rd at 12:00 midnight, and if the Council recalls an ordinance was adopted and the City of Selma is listed as a participant to exempt any and all sales taxes this weekend. Attorney Nunn further stated that this has already been adopted and he is just given the Council and citizens notification.

L. **Mileage Rate Increase.** Attorney Nunn stated that the mileage rate increase was passed during the last City Council meeting, effective July 1, 2008 the mileage rate was increased to 58.5 cents per mile on the travel and there was a question that was also asked by Councilman Leashore if the employees who receive a \$100.00 travel allowance could also be increased. Attorney Nunn stated that he had the opportunity to talk to Ms. Mitchell and she stated that no one has complained about this matter and if an employee feels that they are traveling above and beyond this amount, they may fill out or turn in their receipts of the mileage and they can be reimbursed for the actual cost for travel.

M. **Resolution - #R221-07/08 - Limit the Amount of Council Members Appointed to the Selma Water Works and Sewer Board.** Attorney Nunn stated that per the request of the Councilman Williamson a resolution has been prepared to limit the number of Council members on the Water Works and Sewer Board along with a request for the Council member to report to the City Council on a quarterly basis as it relates to the activities of the Board. Attorney Nunn read as per resolution in its entirety. Councilman Williamson stated to President Evans that he would like to have this resolution placed on the agenda for the next meeting.

N. **Resolution - #R220-07/08 - Authorization for City Clerk to be Compensated for Duties Performed in the Capacity as Absentee Election Manager During and Before the Special Municipal Election Held on February 26, 2008.** Following discussion, a motion was made by Councilwoman Crenshaw and seconded by Councilman Randolph to approve the said resolution. A roll call vote was taken and the motion passed with a majority vote of the Council. There were seven affirmative votes and two nay votes. Councilman Williamson and Councilman Cain each cast a nay vote.

O. **Agreement - City Use Of Dallas County AutoMark Machines.** Following discussion, a motion was made by Councilman Leashore and seconded by Councilwoman Crenshaw to approve the said agreement with corrected language. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

P. **Letter of Request for Federal Poll Watchers.** Attorney Nunn stated that this request has been submitted.

BUSINESS ITEMS:

I. **NOISE ORDINANCE**

President Evans stated that there is no discussion on this item.

II. **UNPAID GARBAGE FEES**

President Evans stated that this item is being worked on by Mr. Goldsby.

III. **GOOD SAMARITAN UPDATE**

President Evans stated that the Council is still waiting on a reply from Mrs. Mills on this item.

IV. **SELMA WATER WORKS AND SEWER BOARD UPDATE**

Councilman Leashore read a report in its entirety, which are attached.

V. **RESIDENTIAL PROPERTY APPEARANCE**

President Evans stated that this item will be continued.

BUSINESS ITEMS:

VI. UPDATE ON BUSH HOG, INC. CLOSING STREETS AND PROPERTY ACQUISITION

President Evans stated that this item will be continued.

VII. COUNCILMAN REID CAIN'S COURT CASE

Attorney Nunn stated as per Attorney General's Opinion 2001-210. Councilman Cain stated he has no comments at this time.

VIII. GRASS CUTTING SCHEDULE ON RIGHT OF WAY FOR EACH WARD

Councilwoman Venter stated that during the last Public Works committee meeting, it was recommended that Public Works will make a recommendation on this schedule.

IX. UPCOMING CITY GOVERNMENT MEETINGS, COMMITTEE MEETINGS AND CONFERENCES

Councilwoman Crenshaw discussed the Youth Ambassador's trip to Washington, D.C. during the citizens' request earlier in the meeting.

STANDING COMMITTEE REPORTS

RECREATION COMMITTEE - Councilman Reid Cain, Chairperson

No Report.

ADMINISTRATIVE COMMITTEE - Councilman Dr. Cecil Williamson, Chairperson

No Report.

PUBLIC SAFETY COMMITTEE - Councilwoman Dr. Geraldine Allen, Chairperson

No Report.

COMMUNITY DEVELOPMENT COMMITTEE - Councilwoman Bennie Ruth Crenshaw, Chairperson

No Report.

PUBLIC WORKS COMMITTEE - Councilwoman Jannie Venter, Chairperson

No Report.

DISCRETIONARY FUNDS COMMITTEE - President George Evans, Chairperson

No Report.

CLOSING REMARKS BY EACH COUNCIL MEMBER.

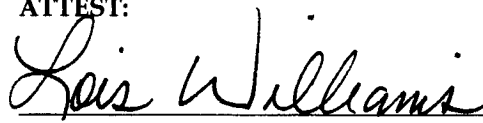
ADJOURNMENT

There being no further business to come before the Council, a motion was made by Councilman Leashore and seconded by Councilwoman Allen, to adjourn, and by unanimous consent of the Council, this meeting adjourned at 10:02 p.m.



GEORGE P. EVANS, *Council President*

ATTEST:



LOIS WILLIAMS, *City Clerk*

APPROVED:



JAMES PERKINS, JR., *Mayor*